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DE RUEHKV #1604/01 2601643
ZNY CCCCC ZZH
P 171643Z SEP 09
FM AMEMBASSY KYIV
TO RUEHC/SECSTATE WASHDC PRIORITY 8426
INFO RUCNCIS/CIS COLLECTIVE
RUEHZG/NATO EU COLLECTIVE

C O N F I D E N T I A L SECTION 01 OF 02 KYIV 001604

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E.O. 12958: DECL: 07/05/2019
TAGS: [PGOV](#) [PREL](#) [UP](#)
SUBJECT: BLOCKADE PARALYZES RADA

Classified By: Political Counselor Colin Cleary for reasons 1.4 (b,d)

SUMMARY

1. (C) The Rada has not held a regular session since its September 1 scheduled re-opening. Party of Regions MPs have physically blocked the rostrum. Seeking to appeal to voters in the run-up to the January presidential election, the Party of Regions demands passage of a bill that would raise social welfare payments, pensions and the minimum wage. Regions leader Yanukovych has promised to continue blocking the work of the Rada until the bill is passed. Some MPs believe the blockage could last until January. Rada Speaker Lytvyn, addressing diplomats, termed the continued blockage "a real danger to democracy in Ukraine." End Summary.

REGIONS' BLOCKADE: OSTENSIBLY FOR HIGHER SOCIAL PAYMENTS

2. (U) Immediately following the failure of Party of Regions-backed legislation in the opening session of the new fall Rada session on September 1, Regions MPs physically blocked the Rada rostrum and forced the closure of the plenary meeting. The failed bill, which garnered unanimous support from Regions and Communist party MPs, sought to raise government social welfare payments, pensions and the minimum wage. Regions allowed the Rada to open briefly on September 4 for a special session initiated by Prime Minister Tymoshenko's bloc (BYuT), but again blockaded the Rada after the ruling coalition rejected a repeat consideration of the social welfare legislation. Regions MPs continued to physically block work in the Rada and have succeeded in forcing the cancellation of all plenary meetings. Former Prime Minister and Regions leader Viktor Yanukovych has promised to blockade the Rada until the coalition passes the social payments legislation.

3. (C) Regions MP Yuriy Miroshnichenko told us that BYuT had agreed on August 31 to back the social benefits bill to ensure the smooth functioning of the Rada. However, the deal fell apart shortly before the beginning of the session on September 1, prompting Regions' blockade. He said that the passage of the law was important for Regions during the run-up to the January 17 presidential election, but that he was sure that President Yushchenko would veto it.

4. (C) BYuT MP Valeriy Pysarenko on September 4 described Regions' demands as cynical and hypocritical. He told us that Regions has spent the last year attacking the Prime Minister as a "dangerous populist" and demanding she rein in public spending. Now, in the run-up to the presidential election, Regions wants to significantly raise social payments and wages to sway voters, the "worst form of populism;" Pysarenko asserted that the "thinking members of Regions" are embarrassed by it. BYuT MP Serhiy Mishchenko called the blockade "legislative blackmail."

"REAL DANGER TO DEMOCRACY"

15. (SBU) Addressing diplomats, including Charge, on September 14, Rada Speaker Lytvyn termed the continued blockade a "real danger to democracy in Ukraine." He accused the Party of Regions of seeking to "usurp power." Lytvyn decried the lack of decorum in the Rada and declared himself the "sole person" trying to engage in dialogue. Lytvyn also lamented what he sees as the cynical nature of Ukrainian politics. No matter who wins, he said, the main issue is redistribution of property and state assets.

16. (C) MP Zvarych, formerly with Yushchenko's "Our Ukraine" but now a supporter of Tymoshenko, told us he worried that the blockade could last all the way to the January election. He termed this the "worst session" of the Rada since he became a member in the 1990s. Zvarych is floating a proposal to allow for Rada voting on paper via signature which would negate the blockage of the rostrum. He said this would be perfectly legal. Lytvyn is interested in the idea but has not signed on. The measure would require the opening of a Rada session, however briefly, so it could pass. Apart from this, Zvarych did not see any way to stop the blockade unless Regions were to decide that it was hurting them with voters. Zvarych noted the blanket immunity given to Rada deputies meant that there is no legal way to force them from the rostrum - there is no Sergeant at Arms.

BLOCKADE 101

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17. (U) MPs from BYuT and Regions have increasingly resorted to blockades to prevent the passage of, or force votes on, legislation. Typically MPs from a particular party en masse physically block the rostrum where MPs address the chamber and the presidium where the Speaker conducts the sessions, thus preventing the Rada from functioning. At times MPs have also taken over the control room of the electronic voting and audio systems. Physically blocking parliament is outside the self-written Rada regulations and rules of conduct. However, the Rada lacks a mechanism for enforcing order in parliament. The blockades are usually peaceful and, according to our contacts in the Rada, informally announced to the various faction leaders beforehand. On September 4 after the Rada refused to reconsider Regions' failed social welfare legislation, Regions MP Andriy Kluyev approached Deputy Speaker Tomenko with a note a few moments before Regions MPs began their blockade, to allow Tomenko time to recess the session.

RADA LOSING LEGITIMACY?

18. (C) BYuT MP Yuriy Poluneyev lamented the long-term effect that the frequent blockades were having on the Rada. He explained that the parliament is ridiculed in the press for its inability to work and for the antics of MPs. Poluneyev told us that unless MPs begin acting like professionals, the Rada will cease to be a major player in national government and a place for independent policy making. Unaffiliated MP Taras Chornovil claimed that discrediting the Rada as an independent body was beneficial to Tymoshenko and Yanukovych, as both were convinced they would win the presidency and longed to return to the strong presidential system that existed under former President Kuchma. He said that it was disingenuous for BYuT to criticize Regions for blockading the Rada, because BYuT used the same tactic last fall to avoid a vote of no-confidence in the Tymoshenko government.

OR "JUST PART OF DEMOCRACY"?

¶9. (C) Regions MP Miroshnuchenko dismissed accusations that blockading parliament was threatening the Rada's legitimacy. He explained that blocking the Rada was "democratic" because it ensured that opposition party voices were heard and was "just part of democracy." Miroshnuchenko said that blocking "promotes and ensures compromises" and that BYuT has frequently used the tactic too. Regions MP Nestor Shufrych told us that conflict in the Rada, including blockading the rostrum and presidium, was actually a positive for the chamber because it ensured that it remained the nexus of interaction between political players. He said it was better, especially during the upcoming presidential elections, for parties to do battle in the Rada rather than use public provocations that could cause instability.

COMMENT

¶10. (C) Regular blocking of the Rada -- by both Regions and BYuT -- threatens to undermine the credibility and legitimacy of parliament among the population. A prolongation of the present blockade would fuel already rampant cynicism among voters. It could also work to Tymoshenko's advantage. The message in her current poster campaign, which features the slogan "She works, they block," could find greater resonance -- and help Tymoshenko gain ground in the presidential race in relation to front-runner Yanukovich.
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